

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: : CHAPTER 13
DAVID J. MILBUT, SR. and :
GAIL KATHLEEN MILBUT :

Debtor(s) : CASE NO. 5-16-05061

DEBTORS' ANSWER TO TRUSTEE'S MOTION TO DISMISS

AND NOW COMES, David and Gail Milbut, the Debtors, and files an Answer to the
Trustee's Motion to Dismiss and states the following:

1. David and Gail Milbut, (hereinafter the "Debtors") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Charles J. DeHart, III, Esq. is the standing Chapter 13 Trustee.
3. The Trustee filed a Motion to Dismiss the Debtor's Chapter 13 case stating the Plan is non confirmable.
4. Debtor's Counsel was waiting for a response from the IRS as to the claim amount. An amended Plan will be filed with the Court shortly.

WHEREFORE, the Debtors respectfully request that Trustee's Motion to Dismiss be denied.

Respectfully submitted,

Date: July 26, 2017

/s/Tullio DeLuca
Tullio DeLuca, Esquire
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(570) 347-7764

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 26, 2017, he caused a true and correct copy of Debtors' Answer to Trustee's Motion to Dismiss to be served via electronic filing in the above-referenced case, on the following:

Charles J. DeHart, III, Esq. at dehartstaff@ramapo.com

Dated: July 26, 2017

/s/Tullio DeLuca
Tullio DeLuca, Esquire